

STANDING ORDER NO. 3

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IN THE MUNICIPAL COURT
CITY OF SUNSET VALLEY
TRAVIS COUNTY, TEXAS

DEFERRED DISPOSITION FOR
FAILURE TO MAINTAIN FINANCIAL RESPONSIBILITY OFFENSES

IT IS ORDERED, ADJUDGED, AND DECREED that this Standing Order No. 3 [Deferred Disposition for Failure to Maintain Financial Responsibility Offenses] ("Standing Order") shall apply to all pending and future cases in the Municipal Court of the City of Sunset Valley, Texas ("Court").

If a defendant receives a citation alleging that the defendant committed the offense of Failure to Maintain Financial Responsibility (Sections 601.051 [Requirement of Financial Responsibility] and 601.191 [Operation of Motor Vehicle in Violation of Motor Vehicle Liability Insurance Requirement; Offense] of the Texas Transportation Code) (hereafter referred to as the "Offense") and the eligibility requirements set forth below are met, then the Court Clerks are authorized to process the defendant's request for deferred disposition of the Offense.

A defendant may be eligible for deferred disposition of the Offense if:

1. The defendant has **NOT** been previously convicted of the Offense.
2. The defendant has **NOT** been granted deferred disposition by the Court (or been obligated to comply with a Court order granting deferred disposition) during the twelve (12) month period immediately preceding the date of the defendant's request for deferred disposition of the Offense. (This prohibition does not apply to deferred dispositions granted by the Court pursuant to Section 45.0511 [Driving Safety Course or Motorcycle Operator Course Dismissal Procedures] of the Texas Transportation Code.)
3. The defendant completes a written request for deferred disposition (in a form approved by the Court), agrees to comply with the terms of the Court's order deferring disposition of the Offense, and presents evidence to the Court of the defendant's eligibility for deferred disposition (in a form satisfactory to the Court).

If the Court grants a defendant's request for deferred disposition, the term of the deferred disposition shall be **one hundred and eighty (180) days** and the defendant must:

1. Enter a plea of "guilty" or "no contest" to the Offense.
2. Waive his or her right to **ANY** trial, including a jury trial.
3. Provide the Court with a copy of his or her valid driver's license.
4. Pay all of the court costs and the special expense fee for the Offense to the Court.
5. Submit a copy of his or her driving record to the Court.

6. Maintain financial responsibility (as required by law) during the entire deferral period.
7. Submit proof of financial responsibility (as required by law) to the Court that shows that the defendant kept in force financial responsibility during the entire deferral period.
8. Notify the Court, in writing, if defendant's address changes during the deferral period.
9. Commit **NO** offense in the State of Texas during the deferral period (regardless of the conviction date) that is a traffic offense classified, pursuant to the Texas Transportation Code, as a moving violation.
10. Comply with all other terms and conditions of the Court's order deferring disposition of the Offense.
11. Present evidence to the Court of the defendant's compliance with the Court's order deferring disposition of the Offense (in a form satisfactory to the Court).

If a defendant successfully complies with all of the terms and conditions of the Court's order deferring disposition of the Offense, then the cause shall be **DISMISSED** by the Court and shall **NOT** be reported as a conviction.

If a defendant fails to comply with all of the terms and conditions of the Court's order deferring disposition of the Offense, then the Court shall (a) notify the defendant of the defendant's failure to comply with the Court's order deferring disposition, and (b) require the defendant to appear before the Court to show cause why the Court's order deferring disposition should not be revoked. If the defendant fails to appear for the show cause hearing or fails (at the show cause hearing) to provide the Court with good cause as to why the defendant failed to comply with the Court's order deferring disposition, then the Court may enter an order of the defendant's final **CONVICTION** of the Offense (which will be reported as required by law), order the defendant to pay the **FINE** (and all unpaid court costs) provided for in the Court's order deferring disposition, and take other actions allowed by law.

A defendant is **NOT** eligible for deferred disposition of the Offense if:

1. The defendant was a juvenile on the date of the Offense.
2. The Offense is related in any way to an accident resulting in property damage or personal injury.
3. The Offense occurred in a school zone between the hours of 7:00 a.m. - 8:15 a.m. or 1:30 p.m. - 3:30 p.m. on a day when schools are open and in session.

SIGNED AND ENTERED this 15th day of JUNE, 2017.



Kenton D. Johnson, Presiding Judge
City of Sunset Valley Municipal Court